

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Hammond

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For: Emergency Relief System

) L. Nelson
) #47 Pre Amdt. A
) 6-10-02
) Examiner:
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) Group Art Unit:
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Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY REMARKS

Sir:

During previous rounds of prosecution, the examiner has rejected Applicant's claims to a first aid kit that contains packs of first aid products to manage particular first aid situations and that is organized according to a system of priorities based on the triage concept to maximize the number of survivors in an emergency situation. The examiner's rejections were under 35 U.S.C. 103(a) and relied upon a combination of references including U.S. Patent No. 2,324,194 issued to Campiglia ("Campiglia"), U.S. Patent No. 1,090,553 issued to Mashek ("Mashek"), and prior art submitted by the applicant.

Campiglia is a first aid kit intended for field use and having particular pockets sized and shaped to one particular first aid product contained within the kit. Mashek is a handbag having a plurality of like sized and shaped compartments. The examiner has rejected Applicant's claims as obvious over Campiglia and in view of Mashek and the art submitted by the applicant (consisting of various first aid kits). The examiner has taken references from the first aid field and combined these references with a patent from the field of handbags to render claims obvious. Applicant's arguments that the conclusion of obviousness was based on hindsight were